



**Service of Process  
Transmittal**

04/23/2015

CT Log Number 527000568

**TO:** Rema Fisher  
Spirit Airlines, Inc.  
2800 Executive Way  
Miramar, FL 33025-6542

**RE: Process Served in Illinois**

**FOR: SPIRIT AIRLINES, INC. (Domestic State: DE)**

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Jaqueline Allen, Wife and Special Administrator to the Estate of Christopher Allen, deceased, Pltf. vs. Spirit Airlines, Inc., et al., Dfts., Janine M. Fromm, R.N., et al., Respondents-in-Discovery

**DOCUMENT(S) SERVED:** Summonses, Attachment(s), Complaint

**COURT/AGENCY:** Cook County Circuit Court - County Department - Law Division, IL  
Case # 2015L003385

**NATURE OF ACTION:** Wrongful Death - 04/08/2013 - Negligence of flight crew regarding the medical emergency in the flight

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Chicago, IL

**DATE AND HOUR OF SERVICE:** By Process Server on 04/23/2015 at 12:45

**JURISDICTION SERVED :** Illinois

**APPEARANCE OR ANSWER DUE:** Within 30 days after service, not counting the day of service

**ATTORNEY(S) / SENDER(S):** Larry R. Rogers, Jr.  
Power Rogers & Smith PC  
70 W. Madison St.  
Suite 5500  
Chicago, IL 60602  
312-236-9381

**ACTION ITEMS:** CT has retained the current log, Retain Date: 04/24/2015, Expected Purge Date: 05/24/2015  
Image SOP  
Email Notification, Rema Fisher rema.fisher@spirit.com

**SIGNED:** C T Corporation System

**ADDRESS:** 208 South LaSalle Street  
Suite 814  
Chicago, IL 60604

**TELEPHONE:** 312-345-4336

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

JACQUELINE ALLEN, as Special Adm. of the estate of CHRISTOPHER ALLEN, dec'd.  
(Name all parties)  
v.

SPIRIT AIRLINES, INC. and RUSH UNIVERSITY MEDICAL CENTER

No. 2015 L 003385  
SHERIFF PLEASE SERVE  
see reverse side

☒ SUMMONS ☐ ALIAS SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- ☒ Richard J. Daley Center, 50 W. Washington, Room 801, Chicago, Illinois 60602
- ☐ District 2 - Skokie  
5600 Old Orchard Rd.  
Skokie, IL 60077

☐ District 3 - Rolling Meadows  
2121 Euclid  
Rolling Meadows, IL 60008

☐ District 4 - Maywood  
1500 Maybrook Ave.  
Maywood, IL 60153
- ☐ District 5 - Bridgeview  
10220 S. 76th Ave.  
Bridgeview, IL 60455

☐ District 6 - Markham  
16501 S. Kedzie Pkwy.  
Markham, IL 60428

☐ Child Support  
28 North Clark St., Room 200  
Chicago, Illinois 60602

You must file within 30 days after service of this Summons, not counting the day of service.  
IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

Atty. No.: 31444  
Name: Larry R. Rogers, Jr./Power Rogers & Smith, P.C.  
Atty. for: Plaintiff  
Address: 70 West Madison, 55th Floor  
City/State/Zip: Chicago, IL 60602  
Telephone: 312-236-9381

WITNESS, \_\_\_\_\_

APR 13 2015  
DOROTHY BROWN  
CLERK OF CIRCUIT COURT  
Clerk of Court  
Date of service: \_\_\_\_\_  
(To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: \_\_\_\_\_  
(Area Code) (Facsimile Telephone Number)

# SPIRIT AIRLINES, INC

CT Corporation System, Registered Agent  
208 S. LaSalle Street, Suite 814  
Chicago, IL 60604



DIE DATE  
05/06/2015

DOC.TYPE: LAW  
CASE NUMBER: 15L003385  
DEFENDANT  
SPIRIT AIRLINES INC  
208 S LASALLE ST  
CHICAGO, IL 60604  
STE 804

SERVICE INF  
RM 801 CT C  
SYSTEM R/A

ATTACHED

# RUSH UNIVERSITY MEL

Anne Murphy, Registered Agent  
1700 W. Van Buren St., Ste. 301  
Chicago, IL 60612

2120 - Served  
2220 - Not Served  
2320 - Served By Mail  
2420 - Served By Publication  
SUMMONS

2121 - Served  
2221 - Not Served  
2321 - Served By Mail  
2421 - Served By Publication  
ALIAS - SUMMONS

(2/28/11) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

No. 2015 L 003385

SHERIFF PLEASE SERVE

see reverse side

JACQUELINE ALLEN, as Special Adm. of the estate of CHRISTOPHER ALLEN, dec'd.

(Name all parties)

v.

SPIRIT AIRLINES, INC. and RUSH UNIVERSITY MEDICAL CENTER

☒ SUMMONS ☐ ALIAS SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- ☒ Richard J. Daley Center, 50 W. Washington, Room 801, Chicago, Illinois 60602
- |   |  |  |
|---|--|--|
| <input type="radio"/> District 2 - Skokie<br>5600 Old Orchard Rd.<br>Skokie, IL 60077       | <input type="radio"/> District 3 - Rolling Meadows<br>2121 Euclid<br>Rolling Meadows, IL 60008 | <input type="radio"/> District 4 - Maywood<br>1500 Maybrook Ave.<br>Maywood, IL 60153          |
| <input type="radio"/> District 5 - Bridgeview<br>10220 S. 76th Ave.<br>Bridgeview, IL 60455 | <input type="radio"/> District 6 - Markham<br>16501 S. Kedzie Pkwy.<br>Markham, IL 60428       | <input type="radio"/> Child Support<br>28 North Clark St., Room 200<br>Chicago, Illinois 60602 |

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Atty. No.: 31444

Name: Larry R. Rogers, Jr./Power Rogers & Smith, P.C.

Atty. for: Plaintiff

Address: 70 West Madison, 55th Floor

City/State/Zip: Chicago, IL 60602

Telephone: 312-236-9381

WITNESS, \_\_\_\_\_

APR 13 2015

DOROTHY BROWN  
CLERK OF CIRCUIT COURT

Clerk of Court

Date of service: \_\_\_\_\_

(To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: \_\_\_\_\_

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS



DIE DATE  
05/06/2015

## SPIRIT AIRLINES, INC.

CT Corporation System, Registered Agent,  
208 S. LaSalle Street, Suite 814  
Chicago, IL 60604

DOC. TYPE: LAW  
CASE NUMBER: 15L003385  
DEFENDANT  
SPIRIT AIRLINES INC  
208 S LASALLE ST  
CHICAGO, IL 60604  
STE 804

SERVICE INF  
RM 801 CT C  
SYSTEM R/A

ATTACHED

## RUSH UNIVERSITY MEDICAL CENTER

Anne Murphy, Registered Agent  
1700 W. Van Buren St., Ste. 301  
Chicago, IL 60612

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

JAQUELINE ALLEN, Wife  
And Special Administrator to  
The Estate of CHRISTOPHER  
ALLEN, deceased  
Plaintiff

v.

SPIRIT AIRLINES, INC;  
JOHN DOE, Individually and in his capacity as  
Flight Attendant; JANE DOE, Individually  
In her capacity as Flight Attendant; and  
RUSH UNIVERSITY MEDICAL CENTER

Defendants.

JANINE M. FROMM, R.N.,  
DEBRA LUNT, R.N., and  
AMY BHAGVANJI, M.D.  
WILLIAM BILLHARDT, M.D.

Respondents-in-Discovery

NO. 2015L003385  
CALENDAR/ROOM X  
TIME 0050

JURY DEMAND

FILED-3  
2015 APR -2 PM 12:17  
JANINE M. FROMM  
DEBRA LUNT  
AMY BHAGVANJI  
WILLIAM BILLHARDT  
COUNTY DEPARTMENT  
LAW DIVISION

**COMPLAINT AT LAW**

**Index of Counts**

- I. Wrongful Death-Spirit Airlines
- II. Wrongful Death-John Doe Flight Attendant
- III. Wrongful Death-Jane Doe Flight Attendant
- IV. Wrongful Death-RUMC

V

**COUNT I**

(Wrongful Death-Spirit Airlines)

NOW COMES Plaintiff JAQUELINE ALLEN, Wife and Special Administrator to the  
Estate of CHRISTOPHER ALLEN, deceased, hereby complaining of Defendants JOHN DOE  
and JANE DOE, individually and as agents and/or employees of Defendant SPIRIT AIRLINES  
and Defendant SPIRIT AIRLINES, pleading hypothetically and in the alternative, Plaintiff states  
as follows:

1. On, prior to, and at all times relevant to April 8, 2013, Defendant SPIRIT AIRLINES, INC, (hereinafter Spirit), was an airline in the business of offering domestic and international flights to Citizens of the United States of America.
2. On, prior to, and after April 8, 2013, Spirit did substantial business out of Chicago's O'Hare International Airport, located at 10000 Bessie Coleman Dr., City of Chicago, County of Cook, State of Illinois.
3. On, prior to, and after April 8, 2013, in pursuit of its business, Spirit offered domestic flights, both to and from, Chicago's O'Hare International Airport and Las Vegas's McCarran International Airport.
4. On April 8, 2013, Spirit operated flight 356 from Las Vegas's McCarran International Airport to Chicago's O'Hare International Airport.
5. On April 8, 2013, Plaintiff CHRISTOPHER ALLEN, (hereinafter Mr. Allen) was a passenger on Spirit flight 356 traveling from Las Vegas to Chicago.
6. On April 8, 2013, Defendant SPIRIT airlines solicited, interviewed, and/or hired flight attendants who resided in the City of Chicago, County of Cook, and/or State of Illinois, including, but not limited to Defendant JOHN DOE who worked as an agent and/or employee of Defendant SPIRIT AIRLINES on flight 356.
7. On April 8, 2013, Defendant SPIRIT AIRLINES solicited, interviewed, and/or hired flight attendants who resided in the City of Chicago, County of Cook, State of Illinois, including, but not limited to Defendant JANE DOE who worked as an agent and/or employee of Defendant SPIRIT AIRLINES on flight 356.
8. On April 8, 2013, Defendant JOHN DOE was a flight attendant working within the course and scope of his employment with Defendant Spirit.

9. On April 8, 2013, Defendant JANE DOE was a flight attendant working within the course and scope of her employment with Defendant Spirit.

10. On, prior to, and after April 8, 2013, Spirit had a duty to ensure that its flight crew, including but not limited to, its flight attendants were adequately and appropriately trained to address medical emergencies that might arise on board.

11. On, prior to, and after April 8, 2013, Spirit had a duty to ensure its flight crew, including but not limited to, its flight attendants were aware of, and had access to, on board emergency medical equipment.

12. On, prior to, and after April 8, 2013, Spirit had a duty to ensure the safety, health, and survival of its passengers including, but not limited to, Mr. Allen.

13. On, prior to, and after April 8, 2013, JOHN DOE had a duty to know the location of the plane's emergency medical equipment.

14. On, prior to, and after April 8, 2013, JANE DOE had a duty to know the location of the plane's emergency medical equipment.

15. On prior to, and after April 8, 2013, JOHN DOE had a duty to know the intended operation of the plane's emergency medical equipment.

16. On, prior to, and after April 8, 2013, JANE DOE had a duty to know the intended operation of the plane's emergency medical equipment.

17. On April 8, 2013, Mr. Allen became unresponsive on-board Spirit flight 356.

18. On April 8, 2013, fellow passengers attempted to resuscitate Mr. Allen while Spirit Flight 356 was still in the air.

19. On April 8, 2013, Mr. Allen passed away.



20. At the aforesaid time and place, SPIRIT AIRLINES, INC, was then and there negligent in one or more of the following respects:

- a. Failing to provide adequate training, with regard to medical emergency, to its flight crew, in violation of 14 CFR § 121.805(a) and 14 CFR § 121.417(a); and/or
- b. Failing to provide adequate training as to the location of the flights emergency medical equipment, in violation of 14 CFR § 121.417(b)(2) and 14 CFR § 121.805(b)(2); and/or
- c. Failing to provide emergency medical equipment that is clearly identified and clearly marked to indicate its method of operation, in violation of 14 CFR 121.803(b)(3); and/or
- d. Failing to store the planes emergency medical equipment in a compartment or container that was marked as to its contents; in violation of 121.803(b)(4) and ; and/or
- e. Failing to have emergency medical equipment readily accessible to crewmembers, in violation of 14 CFR 121.803(b)(2); and/or
- f. Failing to provide proper training on the intended use of the flight's emergency medical equipment, in violation of 14 CFR § 121.417(b)(2) and 14 CFR 121.805(b)(2); and/or
- g. Failing to provide adequate instruction as to emergency assignments and procedures in an emergency medical event, in violation of 14 CFR § 121.417(b)(1) and 14 CFR 121.805(b)(1); and/or
- h. Failing to provide adequate instruction as to responsibilities and coordination among crew members during an emergency medical event, in violation of 14 CFR § 121.417(b)(1) and 14 CFR 121.805(b)(1) ; and/or
- i. Failing to have emergency medical equipment readily accessible to passengers, in violation of 14 CFR 121.805(b)(2);
- j. Failing to familiarize crewmembers with the content of the emergency medical kit as modified on April 12, 2004, in violation of 14 CFR 121.805(b)(4); and/or
- k. Failing to provide instruction on the proper use of automated external defibrillators, in violation of 14 CFR 121.805(b)(5)(i); and/or
- l. Failing to provide instruction in cardiopulmonary resuscitation, in violation of 14 CFR 121.805(b)(5)(ii); and/or
- m. Failing to provide a CPR mask, in violation of in violation of 14 CFR 121.803(a); and/or
- n. Failing to provide automated external defibrillator that was clearly marked to indicate its method of operation, in violation of 14 CFR 121.803(b)(3); and/or
- o. Was otherwise negligent.

21. As a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions of Defendants JOHN DOE AND JANE DOE, Individually and as the agents and/or employees of Defendant SPIRIT AIRLINES, and Defendant SPIRIT AIRLINES, CHRISTOPHER ALLEN, sustained injuries of a personal and permanent nature, including conscious pain and suffering, and died on April 8, 2013.

22. As a proximate result of the death of CHRISTOPHER ALLEN, his family, including Plaintiff JAQUELINE ALLEN, has been deprived of love, companionship, and emotional support, and has suffered injuries of a personal and pecuniary nature.

23. JAQUELINE ALLEN, as wife and Special Administrator of the Estate of CHRISTOPHER ALLEN, Deceased, brings this cause of action on behalf of the Estate of the Decedent pursuant to 740 ILCS 180/1, commonly known as the Wrongful Death Act of Illinois for the benefit of his estate, and his heirs, including his wife, and children.

WHEREFORE, Plaintiff, JAQUELINE ALLEN, as Wife and Special Administrator of the Estate of CHRISTOPHER ALLEN, Deceased, by and through her attorneys, POWER ROGERS AND SMITH, P.C., demands judgment against the Defendant in such a sum of money in excess of FIFTY THOUSAND DOLLARS (\$50,000) as shall represent fair and just compensation.

## **COUNT II**

(Wrongful Death-John Doe)

NOW COMES Plaintiff JAQUELINE ALLEN, Wife and Special Administrator to the Estate of CHRISTOPHER ALLEN, deceased, hereby complaining of defendant SPIRIT AIRLINES, INC, pleading hypothetically and in the alternative, Plaintiff states as follows:

1. On, prior to, and at all times relevant to April 8, 2013, Defendant SPIRIT AIRLINES, INC, (hereinafter Spirit), was an airline in the business of offering domestic and international flights to Citizens of the United States of America.
2. On, prior to, and after April 8, 2013, Spirit did substantial business out of Chicago's O'Hare International Airport, located at 10000 Bessie Coleman Dr., City of Chicago, County of Cook, State of Illinois.

3. On, prior to, and after April 8, 2013, in pursuit of its business, Spirit offered domestic flights, both to and from, Chicago's O'Hare International Airport and Las Vegas's McCarran International Airport.
4. On April 8, 2013, Spirit operated flight 356 from Las Vegas's McCarran International Airport to Chicago's O'Hare International Airport.
5. On April 8, 2013, Plaintiff CHRISTOPHER ALLEN, (hereinafter Mr. Allen) was a passenger on Spirit flight 356 traveling from Las Vegas to Chicago.
6. On April 8, 2013, Defendant JOHN DOE is an unknown Defendant, working as an agent and/or employee of Defendant SPIRIT AIRLINES.
7. On April 8, 2013, Defendant JANE DOE is an unknown Defendant, working as an agent and/or employee of Defendant SPIRIT AIRLINES.
8. On April 8, 2013, Defendant JOHN DOE was a flight attendant working within the course and scope of his employment with Defendant Spirit.
9. On April 8, 2013, Defendant JANE DOE was a flight attendant working within the course and scope of her employment with Defendant Spirit.
10. On, prior to, and after April 8, 2013, Spirit had a duty to ensure that its flight crew, including but not limited to, its flight attendants were adequately and appropriately trained to address medical emergencies that might arise on board.
11. On, prior to, and after April 8, 2013, Spirit had a duty to ensure its flight crew, including but not limited to, its flight attendants were aware of, and had access to, on board emergency medical equipment.
12. On, prior to, and after April 8, 2013, Spirit had a duty to ensure the safety, health, and survival of its passengers including, but not limited to, Mr. Allen.

13. On, prior to, and after April 8, 2013, JOHN DOE had a duty to know the location of the plane's emergency medical equipment.
14. On, prior to, and after April 8, 2013, JANE DOE had a duty to know the location of the plane's emergency medical equipment.
15. On prior to, and after April 8, 2013, JOHN DOE had a duty to know the intended operation of the plane's emergency medical equipment.
16. On, prior to, and after April 8, 2013, JANE DOE had a duty to know the intended operation of the plane's emergency medical equipment.
17. On April 8, 2013, Mr. Allen was found unresponsive on-board Spirit flight 356.
18. On April 8, 2013, fellow passengers attempted to resuscitate Mr. Allen while Spirit Flight 356 was still in the air.
19. On April 8, 2013, Mr. Allen passed away.
20. At the aforesaid time and place, SPIRIT AIRLINES, INC, was then and there negligent in one or more of the following respects:
  - a. Failing to provide adequate training, with regard to medical emergency, to its flight crew, in violation of 14 CFR § 121.805(a) and 14 CFR § 121.417(a); and/or
  - b. Failing to provide adequate training as to the location of the flights emergency medical equipment, in violation of 14 CFR § 121.417(b)(2) and 14 CFR § 121.805(b)(2); and/or
  - c. Failing to provide emergency medical equipment that is clearly identified and clearly marked to indicate its method of operation, in violation of 14 CFR 121.803(b)(3); and/or
  - d. Failing to store the planes emergency medical equipment in a compartment or container that was marked as to its contents; in violation of 121.803(b)(4) and ; and/or
  - e. Failing to have emergency medical equipment readily accessible to crewmembers, in violation of 14 CFR 121.803(b)(2); and/or
  - f. Failing to provide proper training on the intended use of the flight's emergency medical equipment, in violation of 14 CFR § 121.417(b)(2) and 14 CFR 121.805(b)(2); and/or
  - g. Failing to provide adequate instruction as to emergency assignments and procedures in an emergency medical event, in violation of 14 CFR § 121.417(b)(1) and 14 CFR 121.805(b)(1); and/or
  - h. Failing to provide adequate instruction as to responsibilities and coordination among crew members during an emergency medical event, in violation of 14 CFR § 121.417(b)(1) and 14 CFR 121.805(b)(1) ; and/or

- i. Failing to have emergency medical equipment readily accessible to passengers, in violation of 14 CFR 121.805(b)(2);
- j. Failing to familiarize crewmembers with the content of the emergency medical kit as modified on April 12, 2004, in violation of 14 CFR 121.805(b)(4); and/or
- k. Failing to provide instruction on the proper use of automated external defibrillators, in violation of 14 CFR 121.805(b)(5)(i); and/or
- l. Failing to provide instruction in cardiopulmonary resuscitation, in violation of 14 CFR 121.805(b)(5)(ii); and/or
- m. Failing to provide a CPR mask, in violation of in violation of 14 CFR 121.803(a); and/or
- n. Failing to provide automated external defibrillator that was clearly marked to indicate its method of operation, in violation of 14 CFR 121.803(b)(3); and/or
- o. Was otherwise negligent.

21. As a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions of Defendants JOHN DOE AND JANE DOE, Individually and as the agents and/or employees of Defendant SPIRIT AIRLINES, and Defendant SPIRIT AIRLINES, CHRISTOPHER ALLEN, sustained injuries of a personal and permanent nature, including conscious pain and suffering, and died on April 8, 2013.

22. As a proximate result of the death of CHRISTOPHER ALLEN, his family, including Plaintiff JAQUELINE ALLEN, has been deprived of love, companionship, and emotional support, and has suffered injuries of a personal and pecuniary nature.

23. JAQUELINE ALLEN, as wife and Special Administrator of the Estate of CHRISTOPHER ALLEN, Deceased, brings this cause of action on behalf of the Estate of the Decedent pursuant to 740 ILCS 180/1, commonly known as the Wrongful Death Act of Illinois for the benefit of his estate, and his heirs, including his wife, and children.

WHEREFORE, Plaintiff, JAQUELINE ALLEN, as Wife and Special Administrator of the Estate of CHRISTOPHER ALLEN, Deceased, by and through her attorneys, POWER ROGERS AND SMITH, P.C., demands judgment against the Defendant(s) in such a sum of money in

excess of FIFTY THOUSAND DOLLARS (\$50,000) as shall represent fair and just compensation.

**COUNT III**  
(Wrongful Death-Jane Doe)

NOW COMES Plaintiff JAQUELINE ALLEN, Wife and Special Administrator to the Estate of CHRISTOPHER ALLEN, deceased, hereby complaining of defendant SPIRIT AIRLINES, INC, pleading hypothetically and in the alternative, Plaintiff states as follows:

1. On, prior to, and at all times relevant to April 8, 2013, Defendant SPIRIT AIRLINES, INC, (hereinafter Spirit), was an airline in the business of offering domestic and international flights to Citizens of the United States of America.
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6. On April 8, 2013, Defendant JOHN DOE is an unknown Defendant, working as an agent and/or employee of Defendant SPIRIT AIRLINES.

7. On April 8, 2013, Defendant JANE DOE is an unknown Defendant, working as an agent and/or employee of Defendant SPIRIT AIRLINES.

8. On April 8, 2013, Defendant JOHN DOE was a flight attendant working within the course and scope of his employment with Defendant Spirit.

9. On April 8, 2013, Defendant JANE DOE was a flight attendant working within the course and scope of her employment with Defendant Spirit.

10. On, prior to, and after April 8, 2013, Spirit had a duty to ensure that its flight crew, including but not limited to, its flight attendants were adequately and appropriately trained to address medical emergencies that might arise on board.

11. On, prior to, and after April 8, 2013, Spirit had a duty to ensure its flight crew, including but not limited to, its flight attendants were aware of, and had access to, on board emergency medical equipment.

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- d. Failing to store the planes emergency medical equipment in a compartment or container that was marked as to its contents; in violation of 121.803(b)(4) and ; and/or
- e. Failing to have emergency medical equipment readily accessible to crewmembers, in violation of 14 CFR 121.803(b)(2); and/or
- f. Failing to provide proper training on the intended use of the flight's emergency medical equipment, in violation of 14 CFR § 121.417(b)(2) and 14 CFR 121.805(b)(2); and/or
- g. Failing to provide adequate instruction as to emergency assignments and procedures in an emergency medical event, in violation of 14 CFR § 121.417(b)(1) and 14 CFR 121.805(b)(1); and/or
- h. Failing to provide adequate instruction as to responsibilities and coordination among crew members during an emergency medical event, in violation of 14 CFR § 121.417(b)(1) and 14 CFR 121.805(b)(1) ; and/or
- i. Failing to have emergency medical equipment readily accessible to passengers, in violation of 14 CFR 121.805(b)(2);
- j. Failing to familiarize crewmembers with the content of the emergency medical kit as modified on April 12, 2004, in violation of 14 CFR 121.805(b)(4); and/or
- k. Failing to provide instruction on the proper use of automated external defibrillators, in violation of 14 CFR 121.805(b)(5)(i); and/or
- l. Failing to provide instruction in cardiopulmonary resuscitation, in violation of 14 CFR 121.805(b)(5)(ii); and/or
- m. Failing to provide a CPR mask, in violation of in violation of 14 CFR 121.803(a); and/or
- n. Failing to provide automated external defibrillator that was clearly marked to indicate its method of operation, in violation of 14 CFR 121.803(b)(3); and/or
- o. Was otherwise negligent.

21. As a direct and proximate result of one or more of the aforesaid negligent acts and/or

omissions of Defendants JOHN DOE AND JANE DOE, Individually and as the agents and/or



employees of Defendant SPIRIT AIRLINES, and Defendant SPIRIT AIRLINES, CHRISTOPHER ALLEN, sustained injuries of a personal and permanent nature, including conscious pain and suffering, and died on April 8, 2013.

22. As a proximate result of the death of CHRISTOPHER ALLEN, his family, including Plaintiff JAQUELINE ALLEN, has been deprived of love, companionship, and emotional support, and has suffered injuries of a personal and pecuniary nature.

23. JAQUELINE ALLEN, as wife and Special Administrator of the Estate of CHRISTOPHER ALLEN, Deceased, brings this cause of action on behalf of the Estate of the Decedent pursuant to 740 ILCS 180/1, commonly known as the Wrongful Death Act of Illinois for the benefit of his estate, and his heirs, including his wife, and children.

WHEREFORE, Plaintiff, JAQUELINE ALLEN, as Wife and Special Administrator of the Estate of CHRISTOPHER ALLEN, Deceased, by and through her attorneys, POWER ROGERS AND SMITH, P.C., demands judgment against the Defendant(s), in such a sum of money in excess of FIFTY THOUSAND DOLLARS (\$50,000) as shall represent fair and just compensation.

COUNT IV  
Wrongful Death – RUMC

1. On and before August 9, 2012, and at all times relevant, RUSH UNIVERSITY MEDICAL CENTER (hereafter RUMC) was a healthcare provider in the City of Chicago, County of Cook, and State of Illinois
2. On and before August 9, 2012, and at all times relevant, Plaintiff's Decedent, CHIRSTOTOPHER ALLEN was a patient at RUSH UNIVERSITY MEDICAL CENTER (hereafter RUMC).

3. On and before August 9, 2012, Plaintiff's Decedent, CHRISTOPHER ALLEN presented to RUMC's Emergency Department and was seen by RUMC employees and/or agents JANINE M. FROMM, R.N., DEBRA LUNT, R.N., and AMY BHAGVANJI, M.D. for a variety of complaints, and was noted to have an elevated blood pressure.
4. On or about August 9, 2012, and at all times relevant, Defendant RUMC, by and through one or more of its agents and/or employees ordered lab work and an EKG on Plaintiff's decedent, CHRISTOPHER ALLEN.
5. On or about August 9, 2012, and at all times relevant, Defendant RUMC, by and through its employees and/or agents recorded multiple elevated blood pressures for the decedent.
6. On or about August 9, 2012, and at all times relevant, Defendant RUMC, by and through its employees and/or agents noted abnormal EKG findings.
7. On or about August 9, 2012, and at all times relevant, Defendant RUMC, by and through its employees and/or agents did not engage a cardiologist or obtain a cardiology consultations for CHRISTOPHER ALLEN despite the abnormalities noted during his lab work, EKG, ECG and/or clinical evaluation.
8. On or about August 9, 2012, and at all times relevant, Defendant RUMC, by and through its employees and/or agents, did not have a cardiologist review the electrocardiogram report results until August 10, 2012 at or about 4:07 p.m., when DR. ROGER BILLHARDT reviewed the results.
9. On or about August 9, 2012, and at all times relevant, Plaintiff's Decedent, CHRISTOPHER ALLEN was admitted to Defendant RUMC's Emergency Department at or about 0919 a.m. and discharged that day at or about 1355.
10. On April 8, 2013, Plaintiff CHRISTOPHER ALLEN, (hereinafter Mr. Allen) was a passenger on Spirit flight 356 traveling from Las Vegas to Chicago.
11. On April 8, 2013, Mr. Allen became unresponsive on-board Spirit flight 356.
12. On April 8, 2013, fellow passengers attempted to resuscitate Mr. Allen while Spirit Flight 356 was still in the air.
13. On April 8, 2013, Mr. Allen was injured and passed away.
14. On or about April 9, 2013, and at all times relevant, a postmortem examination was performed on CHRISTOPHER ALLEN.
15. On or about July, 9, 2013, and at all times relevant, pathologists Ponni Arunkumar, M.D. and Jennifer Dettloff, M.D. issued a Report of Post mortem Examination that revealed a cause of death of hypertensive cardiovascular disease.
16. On or about April 9, 2013, and at all times relevant, no drugs or alcohol were noted to be in CHRISTOPHER ALLEN's system based upon samples secured that day and a toxicology report dated May 2, 2013.

17. That Plaintiff, JACQUELINE ALLEN did not know and had no reason to know that CHRISTOPHER ALLEN's death may have been wrongfully caused on April 8, 2013.

18. That Plaintiff, JACQUELINE ALLEN did not know of any facts or circumstances suggesting that decedent CHRISTOPHER ALLEN's death may have been wrongfully caused at the time of his death.

19. That as a direct and proximate result of one or more of the following negligent acts and/or omissions on the part of Defendant RUMC, Plaintiff's Decedent was injured and died:

- a. failed to obtain a cardiology consultation; and/or
- b. failed to appreciate the significance of the abnormal test, lab and clinical findings; and/or
- c. failed to refer CHRISTOPHER ALLEN to a cardiologist; and/or
- d. failed to have a complete cardiac work-up performed on CHRISTOPHER ALLEN; and/or
- e. discharged CHRISTOPHER ALLEN without providing proper medical treatment and evaluation; and/or
- f. was otherwise negligent.

20. As a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions of Defendants JOHN DOE AND JANE DOE, Individually and as the agents and/or employees of Defendant SPIRIT AIRLINES, and Defendant SPIRIT AIRLINES, CHRISTOPHER ALLEN, sustained injuries of a personal and permanent nature, including conscious pain and suffering, and died on April 8, 2013.

21. As a proximate result of the death of CHRISTOPHER ALLEN, his family, including Plaintiff JACQUELINE ALLEN, has been deprived of love, companionship, and emotional support, and has suffered injuries of a personal and pecuniary nature.

22. JACQUELINE ALLEN, as wife and Special Administrator of the Estate of CHRISTOPHER ALLEN, Deceased, brings this cause of action on behalf of the Estate of the Decedent pursuant to 740 ILCS 180/1, commonly known as the Wrongful Death Act of Illinois 21. As a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions of Defendants

JOHN DOE AND JANE DOE, Individually and as the agents and/or employees of Defendant SPIRIT AIRLINES, and Defendant SPIRIT AIRLINES, CHRISTOPHER ALLEN, sustained injuries of a personal and permanent nature, including conscious pain and suffering, and died on April 8, 2013.

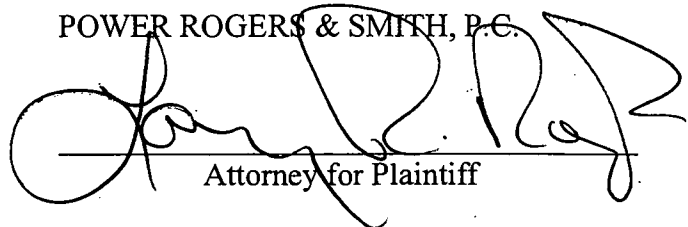
23. JAQUELINE ALLEN, as wife and Special Administrator of the Estate of CHRISTOPHER ALLEN, Deceased, brings this cause of action on behalf of the Estate of the Decedent pursuant to 740 ILCS 180/1, commonly known as the Wrongful Death Act of Illinois for the benefit of his estate, and his heirs, including his wife, and children.

WHEREFORE, Plaintiff, JAQUELINE ALLEN, as Wife and Special Administrator of the Estate of CHRISTOPHER ALLEN, Deceased, by and through her attorneys, POWER ROGERS AND SMITH, P.C., demands judgment against the Defendant(s) in such a sum of money in excess of FIFTY THOUSAND DOLLARS (\$50,000) as shall represent fair and just compensation.

**Respondents-in-Discovery**

JANINE M. FROMM, R.N.,  
DEBRA LUNT, R.N., and  
AMY BHAGVANJI, M.D.  
WILLIAM BILLHARDT, M.D.

POWER ROGERS & SMITH, P.C.



Attorney for Plaintiff

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